

October 14, 2022

Honorable Katharine H. Parker  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street, Chambers Room 750  
New York, New York 10007-1312

Via ECF Only

Re: C.H. Robinson Worldwide, Inc. v. Produce Depot USA, LLC, et al.  
U.S. District Court, S.D. New York; Case No. 1:21-cv-07939-ALC-KHP

Prometo Produce Corp. v. Produce Depot USA, LLC, et al.  
U.S. District Court, S.D. New York; Case No. 1:21-cv-06131-PGG-KHP

Dear Judge Parker:

The counsel below represent the parties in the above-captioned civil cases referred to Your Honor for general pretrial matters and for Settlement Conferences which were held on various dates in February, March and April and which culminated in a global settlement on May 3, 2022. This correspondence constitutes the parties' monthly Joint Status Letter in compliance with the Court's respective Orders Staying Case (C.H. Robinson Case, Doc. No. 54; Prometo Produce Case, Doc. No. 92).

Since our last status report to the Court, U.S. Bankruptcy Judge Vincent F. Papalia in the District of New Jersey entered an Order on September 15, 2022 formally granting the Motion to Approve Compromise and Settlement with PACA Trust Creditors. We are pleased to inform Your Honor that the settling defendants have complied with the terms of the Bankruptcy Court Order and this Court's Order by tendering the full amount of the settlement funds to Plaintiffs' counsel. Those funds have been deposited and are awaiting bank clearance. Once the settlement funds clear, the parties will file a Stipulation of Dismissal with prejudice as to the settling defendants, and likely will also voluntarily dismiss separate defendant Michael E. Felix, in each of the above-referenced cases.

Counsel expect to file the dismissals within the next two weeks to terminate all causes of action against all parties. Accordingly, this is our final monthly status report. Counsel wish to thank Your Honor for your time and guidance in assisting the parties to reach a complete resolution of these cases.

Thank you.

Respectfully submitted,

/s/ Mark A. Amendola

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